



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, FIRST SESSION

Vol. 149

WASHINGTON, FRIDAY, JULY 25, 2003

No. 112

Senate

(Legislative day of Monday, July 21, 2003)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. STEVENS).

The PRESIDENT pro tempore. This morning, the Senate will be led in prayer by the Reverend Campbell Gillon, Pastor Emeritus of the Georgetown Presbyterian Church.

PRAYER

The guest Chaplain offered the following prayer:

Let us pray.

Eternal God, before Whom the children of humanity rise and pass away, the living who seek Thee find a faithfulness that knows no end. Thy love transcends not only time and space, but human evil in its arrogance and cruelty, prejudice and pride. Teach us that we do not exist by ourselves, in ourselves and for ourselves, but only learn what life means when in a true relationship with others and with Thee. Teach us that our context is not an accidental cosmos but a purposeful Creator; our destiny no cosmic accident but a love-fashioned creation, and Thy self-revelation, O God, the key to our knowledge of the dust and the divine.

We mortals are made in Thine image, which is certainly not dust. If we deny or ignore the revelation of Thy Word, then we make the dust our final goal and our way to it paved, at best, with ephemeral success, or, at worst, with evil done and its sad harvest multiplied. Lord, we know that this need not be so. When we acknowledge that our destiny is in Thee then the past can be forgiven, the present empowered and the future unchecked by death. Increase this faith in all homes whose loved ones have died and in particular those whose beloved have been serving this Nation's present and future safety. Death is pointless especially to those for whom life is ultimately pointless,

but when any life, long or short, is faithfully spent for the good of others and Thou, O God, art its goal, then powerless death is swallowed up in the victory of life eternal.

Grant to these Senators of this 108th Congress a daily awareness of this larger context, as they use talents entrusted and opportunities sent. Help them to match the one with the other as they strive for this peoples' long-term good and the human family's gain. And upon them individually and together we ask Thy blessing. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The Senator from Idaho is recognized.

SCHEDULE

Mr. CRAIG. Mr. President, this morning the Senate will resume consideration of S. 14, the Energy bill. Three fuel standard amendments were offered last night. Senators are encouraged to come to the floor during today's session to debate these pending amendments. Other amendments are expected during today's session with the hope of making further progress on the bill.

There will be no rollcall votes today. But it is still the expectation that Members will be available to debate the amendments.

Also, today it is expected that the Senate will debate the Free Trade Agreement relative to Chile and Singapore. Some Members have indicated that they desire to speak on these agreements today, and they will have that opportunity following the Energy bill.

Under an order from last night, the next rollcall vote will occur on Monday at 5 p.m. That vote will be the nomination of Earl Yeakel to be a United States District Judge for the Western District of Texas.

Following the 5 p.m. vote on Monday, the Senate will also vote in relation to any available amendments to the Energy bill, as well as the Chile and Singapore trade agreements.

Finally, a cloture motion will be filed today on Priscilla Owen's nomination to the United States Circuit for the Fifth Circuit. This will be the third cloture motion on this nomination. That vote will occur on Tuesday.

I thank Members for their attention.

MORNING BUSINESS

Mr. CRAIG. Mr. President, I ask unanimous consent to proceed in morning business for no longer than 2 minutes.

The PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

A TRIBUTE TO THE IDAHO FALLEN FIREFIGHTERS

Mr. CRAIG. Mr. President, the reason I ask for this privilege is to speak to my colleagues in the Senate about two families in Idaho who have just lost their sons fighting wildfires. My sympathy to the families of Jeff Allen of

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Salmon, ID, and Shane Heath of the Treasure Valley of Idaho. These brave men lost their lives while trying to save our public lands from a catastrophic wildfire in the Salmon-Challis National Forest, this past Tuesday, July 22. Both men were experienced firefighters of the Indianola Helitack Crew.

My heart and prayers are with the family and friends of these two firefighters and the Forest Service firefighting family.

Jeff Allen was 23 years old and had been a firefighter since 1999. He started working on the Salmon-Challis National Forest on a thinning crew on the Salmon-Cobalt District in 1998. He served successfully in fighting devastating fires on the Salmon-Challis National Forest during the 2000 fire season. Jeff was a marketing major at Boise State University.

Shane Heath was 22 years old and this was his fourth season with the Forest Service. He served on the Helitack crew as a certified sawyer and was also a student at Boise State University.

The tragic loss of these two men will be felt throughout their communities and their selfless acts of true bravery will not be forgotten. I commend the men and women who risk their lives every day by undertaking this terribly dangerous job with courage and professionalism.

Thousands of young men and women are on the fire fronts of the wildfires that are now sweeping across the West. As we enter the middle of fire season, with the devastating heat that we are having in the Great Basin, and the West, I hope that we do not lose another fire fighter to wildfire.

THANKING APPROPRIATIONS COMMITTEE STAFF FOR HOMELAND SECURITY APPROPRIATIONS BILL

Mr. COCHRAN. Mr. President, I take this opportunity to commend the hard-working members of the staff of the Appropriations Committee for assisting in the passage of the Homeland Security appropriations bill last night.

For over 3 days we were on the floor debating the bill and considering amendments. They did a masterful job helping guide those of us who were in charge of managing the bill along the path toward final passage.

I also thank the President pro tempore, the distinguished chairman of the Appropriations Committee, for his active involvement in helping to bring that bill to final passage. And my friend from West Virginia, the ranking minority member of the subcommittee, and his able staff all worked hard to help guide this bill through the subcommittee, the full committee, and then, even though we had disagreements on a number of subjects during the consideration of the bill on the floor, the Senate worked its will. We passed the bill, and I know we will go to conference with the House.

But those members of the subcommittee staff I particularly want to single out for praise and my expression of appreciation this morning are: Rebecca Davies, Carol Cribbs, James Hayes, Les Spivey, Rachelle Schroeder, Josh Manley, and our intern Ferriday Mansel. I am deeply grateful to them.

ENERGY POLICY ACT OF 2003

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 14, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 14) to enhance the energy security of the United States, and for other purposes.

Pending:

Campbell amendment No. 886, to replace "tribal consortia" with "tribal energy resource development organizations."

Durbin amendment No. 1384, to amend title 49, United States Code, to improve the system for enhancing automobile fuel efficiency.

Durbin modified amendment No. 1385, to amend the Internal Revenue Code of 1986 to provide additional tax incentives for enhancing motor vehicle fuel efficiency.

Bond amendment No. 1386, to impose additional requirements for improving automobile fuel economy and reducing vehicle emissions.

Mr. CRAIG. Mr. President, Senator DOMENICI, chairman of the Energy and Natural Resources Committee, will be here soon to manage this bill for the remainder of the morning. But I want to say at the outset, we are now involved in a national energy policy debate that will run through the balance of next week.

I thank to Senator DOMENICI, as chairman of the Energy and Natural Resources Committee, for the way he has handled this critical issue for our Nation. He held thorough hearings on the importance of a balanced national energy policy for our country. Much of the lead was taken by our President when he took office over 2 years ago as he outlined this issue as one of the highest priorities for our country.

Senator DOMENICI then began to work with all of us on that committee, Democrats and Republicans, to craft a truly bipartisan and balanced piece of legislation. That is S. 14, the bill we have before us, a national energy policy for our country. When I say "balanced," Mr. President, as you know, one of the true problems in our country today is the failure to keep our energy production levels up with the demands of a growing economy.

Largely through the decade of the 1990s, we lived off the surpluses we had generated by increased capacity being built in the decades of the 1960s and 1970s and 1980s. But that surplus ran out in the late 1990s. We began to see the blackouts and the brownouts in California. We began to see energy prices increase. Our dependency on oil from foreign nations progressively grew during the decade of the 1990s,

from percentages in the low 40s to the 60s. And, of course, as the Presiding Officer knows, the senior Senator from Alaska, Alaska became during that period of several decades a prime producer of high-quality crude for this Nation, and still has tremendous oil reserves in Alaska that could be made available if the politics were allowed to let that happen. But that has not happened.

Senator DOMENICI recognizes that, and in the crafting of this bill did a combination of things, in cooperation with all of us, to recognize the need to get this country back into the production of energy while at the same time recognizing the importance of conservation, recognizing the importance of our environment, and that the energies we produce in the decade of 2000 to 2010 and beyond be clean sources of energy, and also recognizing the application of technology and the development of hydrogen fuel cells and wind and photovoltaic.

Also, the Senator from New Mexico and I have worked very closely over the last nearly two decades building a case for the return of the cleanest, most abundant source of energy for our country: electricity generated by the nuclear generation process and nuclear reactors.

There has been a schism or a belief in our country that somehow this was not a safe way to generate electricity, and that we could not manage the waste stream produced from nuclear reactors. Quite the opposite is now true. Not only have we moved significantly in the development of a clean waste stream, but this legislation also speaks to what we now call Generation IV or new passive reactors this legislation would authorize the design and development of for future generations. This is, without question—other than wind, solar, and hydro—the cleanest form of energy we have because it can produce energy at high, sustained levels to meet the demand of a high-tech economy and, at the same time, do it very cleanly.

This bill is a complete and balanced energy policy for our Nation. As I have said, it puts us back into the business of producing energy. It recognizes conservation. It recognizes technology. Our President has challenged us to develop hydrogen as a new source of transportation fuel for our country. This legislation deals with those issues, and I think it does so in not only a comprehensive and environmentally sensitive way, but it clearly recognizes that this economy runs on energy, period, end of statement.

Every one of us today started our day using energy. The clock that awakened us, the radio that turned on was turned on by energy. The cool room we slept in last night was cooled by energy. Many of you probably brushed your teeth with an electric toothbrush this morning fueled by energy. The water that surged out of the tap in your bathroom or from the nozzle of your shower